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Promotion and protection of the rights of children: promotion and protection of the rights of children

Algeria, Angola, Argentina, Belize, Benin, Canada, Central African Republic, Costa Rica, Eritrea, Ethiopia, Georgia, Ghana, Italy, Kenya, Lebanon, Lesotho, Liberia, Mali, Monaco, Mongolia, Netherlands, Paraguay, Romania, South Sudan, Spain, Zimbabwe and Zambia: revised draft resolution

Child, early and forced marriage

The General Assembly,

Reaffirming its resolutions 69/156 of 18 December 2014 and 71/175 of 19 December 2016 on child, early and forced marriage,

Recalling its resolutions 72/154 of 19 December 2017 on the girl child and 71/170 of 19 December 2016, entitled "Intensification of efforts to prevent and eliminate all forms of violence against women and girls: domestic violence", as well as Human Rights Council resolution 35/16 of 22 June 2017 on child, early and forced marriage in humanitarian settings[1] and all other previous resolutions relating to child, early and forced marriage,

Guided by the Universal Declaration of Human Rights,[2] which marks its seventieth anniversary in 2018, as well as the International Covenant on Economic, Social and Cultural Rights[3] and the International Covenant on Civil and Political Rights,[3] the Convention on the Rights of the Child[4] and the Convention on the Elimination of All Forms of Discrimination against Women,[5] together with the relevant Optional Protocols thereto,[6] as well as other relevant human rights

[1] See *Official Records of the General Assembly, Seventy-second Session, Supplement No. 53* (A/72/53), chap. V, sect. A.
[2] Resolution 217 A (III).
[3] See resolution 2200 A (XXI), annex.
[4] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[5] Ibid., vol. 1249, No. 20378.
[6] Ibid., vols. 2171 and 2173, No. 27531, and resolution 66/138, annex, and United Nations, *Treaty Series*, vol. 2131, No. 20378.

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instruments, and recalling the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages,[7]

Reaffirming the Vienna Declaration and Programme of Action,[8] which marks its twenty-fifth anniversary in 2018, as well as the Programme of Action of the International Conference on Population and Development,[9] the Beijing Declaration and Platform for Action[10] and the outcome documents of their review conferences,

Taking note of the relevant agreed conclusions of the Commission on the Status of Women,

Welcoming the adoption of the 2030 Agenda for Sustainable Development,[11] and noting the integrated nature of the 2030 Agenda and the range of Goals and targets relevant to eliminating child, early and forced marriage, including target 5.3,

Taking note with appreciation of the ongoing United Nations Population Fund-United Nations Children's Fund Global Programme to Accelerate Action to End Child Marriage, as well as international, regional, national and subnational instruments, mechanisms and initiatives to end child, early and forced marriage, including the African Union Campaign to End Child Marriage, the Regional Action Plan to End Child Marriage in South Asia, the Joint Inter-Agency Programme to End Child Marriage and Early Unions in Latin America and the Caribbean and the Southern African Development Community Model Law on Eradicating Child Marriage and Protecting Children Already in Marriage, and further encouraging coordinated approaches to action at all levels,

Recognizing that child, early and forced marriage is a harmful practice that violates, abuses or impairs human rights and is linked to and perpetuates other harmful practices and human rights violations and that such violations have a disproportionately negative impact on women and girls, and underscoring the human rights obligations and commitments of States to promote and protect the human rights and fundamental freedoms of women and girls and to prevent and eliminate the practice of child, early and forced marriage,

Recognizing also that social protection, education, adequate health care, nutrition, full access to clean water, including safe drinking water, sanitation and hygiene, skills development and the combating of discrimination and violence against girls, among other things, are all necessary for the empowerment of the girl child,

Noting the recent progress made globally towards ending child, early and forced marriage, including a decrease in the proportion of girls who were married before age 18 in the past decade from one in four to approximately one in five, while expressing concern that, despite this global trend, progress has been uneven across regions and that the current pace of change is not sufficient to eliminate child, early and forced marriage by 2030,

Recognizing that, in some contexts, the practice of child, early and forced marriage may include arrangements that are not formalized, registered or recognized by a religious or State authority, that such arrangements should be addressed in policies and programmes on child, early and forced marriage and that the gathering

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[7] United Nations, *Treaty Series*, vol. 521, No. 7525.

[8] A/CONF.157/24 (Part I), chap. III.

[9] *Report of the International Conference on Population and Development, Cairo, 5–13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[10] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[11] See resolution 70/1.

of information on these arrangements will help to develop responses for affected girls and women,

Noting with concern that deep-rooted gender inequalities and stereotypes, harmful practices, perceptions and customs, and discriminatory norms are not only obstacles to the full enjoyment of human rights and the empowerment of all women and girls but are also among the root causes of child, early and forced marriage, and that the persistence of child, early and forced marriage places children, in particular the girl child, at greater risk of being exposed to and encountering various forms of discrimination and violence throughout their lives,

Noting with concern also that poverty, insecurity, early pregnancy and lack of education are also among the root causes of child, early and forced marriage, that armed conflict and humanitarian emergencies are among the exacerbating factors and that child, early and forced marriage remains common in rural areas and among the poorest communities, and recognizing that the immediate alleviation and eventual eradication of extreme poverty must remain a high priority for the international community,

Recognizing that child, early and forced marriage is underrecognized and underreported and often coincides with impunity and lack of accountability, particularly at the community level, and that the persistence of child, early and forced marriage places women and girls at greater risk of being exposed to and encountering various forms of discrimination and violence throughout their lives, including marital rape and sexual, physical and psychological violence, and reinforces the lower status of girls and adolescent girls in society,

Recognizing also that child, early and forced marriage is a major impediment to the achievement of the economic empowerment of women and their social and economic development, thereby hampering the ability of women to enter, advance and remain in the labour market, and that this harmful practice can impede economic independence and impose direct and indirect short- and long-term costs on society, and further recognizing that the economic autonomy of women can expand their options for leaving abusive relationships,

Recognizing further that child, early and forced marriage undermines women's and girls' autonomy and decision-making in all aspects of their lives and that the empowerment of and investment in all women and girls, as well as the strengthening of their voice, agency, leadership and meaningful participation in all decisions that affect them are key factors in breaking the cycle of gender inequality and discrimination, violence and poverty, and are critical, inter alia, for sustainable development, peace, security, democracy and inclusive economic growth,

Bearing in mind the vital importance of birth registration for the realization of the human rights of individuals, especially girls,

Recognizing that men and boys should play a role as strategic partners and allies of women and girls and that their meaningful engagement can contribute to transforming discriminatory social norms that perpetuate gender-based violence, as well as child, early and forced marriage, ending this practice and achieving gender equality and the empowerment of women and girls,

Recognizing also that families, communities and religious, traditional and community leaders play an essential role in transforming negative social norms and confronting gender inequality, and recognizing further that empowering girls, including already married girls, requires their active participation in decision-making processes and as agents of change in their own lives and communities, including through women's and girls' organizations, with the active support and engagement of

their parents, legal guardians, families and care providers, boys and men, as well as the wider community,

Recognizing further the need to support girls and women who were subjected to child, early and forced marriage, as well as their children, and underscoring the importance of removing structural barriers that prevent their access to services that respond to their specific needs,

Noting with concern that child, early and forced marriage disproportionally affects girls who have received little or no formal education and is itself a significant obstacle to educational opportunities and the development of employable skills for girls and young women, in particular girls who are forced to drop out of school owing to pregnancy, marriage, childbirth and/or childcare responsibilities, and that educational possibilities and opportunities are directly related to the empowerment of women and girls, their employment and economic opportunities and their active participation in economic, social and cultural development, governance and decision-making,

Noting with concern also that, despite gains in providing access to education, girls are still more likely than boys to remain excluded from primary and secondary education, and recognizing that the attendance of girls at school can be affected by negative perceptions of menstruation and lack of means to maintain safe personal hygiene, such as water, sanitation and hygiene facilities in schools that meet the needs of girls,

Recognizing that child, early and forced marriage remains a serious threat to multiple aspects of the physical and psychological health of women and girls, including but not limited to their sexual and reproductive health, significantly increasing the risk of early, frequent and unintended pregnancy, maternal and newborn mortality and morbidity, obstetric fistula and sexually transmitted infections, including HIV and AIDS, as well as increasing vulnerability to all forms of violence,

Recognizing also that the incidence and risk of child, early and forced marriage can increase during humanitarian emergencies, situations of forced displacement, armed conflict and natural disasters because of various factors, including insecurity, increased risks of sexual and gender-based violence, the misconception of providing protection through marriage, gender inequality, lack of access to continuous, quality education, the stigmatization of pregnancy outside marriage, the absence of family planning services, disruption in social networks and routines, increased poverty and the absence of livelihood opportunities, and that this requires increased attention, appropriate protection measures and coordinated action by relevant stakeholders, with the full and meaningful participation of the women and girls affected, from the early stages of humanitarian emergencies, and recognizing further the importance of addressing the increased vulnerability of women and girls to sexual and gender-based violence and exploitation in those situations,

Recognizing further that preventing and ending child, early and forced marriage and supporting married girls and women affected by this harmful practice require appropriate gender- and age-sensitive protection, prevention and response measures, as well as coordinated action by relevant stakeholders, and that existing gaps in the collection and use of reliable data and evidence remain a major challenge for programming and informing appropriate measures and actions,

1. *Takes note with appreciation* of the report of the Secretary-General;[12]

2. *Calls upon* States, with the participation of relevant stakeholders, including women and girls, men and boys, parents and other family members,

[12] A/73/257.

teachers, religious, traditional and community leaders, civil society, organizations led by girls, women's organizations, youth and human rights groups, the media and the private sector, to develop and implement holistic, comprehensive and coordinated responses and strategies to prevent and eliminate child, early and forced marriage, to support girls and women who are affected or at risk, who have fled such a marriage or whose marriage has dissolved, and widowed girls or women who were married as girls, including through the strengthening of child protection systems, protection mechanisms such as safe shelters, access to justice and the sharing of best practices across borders;

3. *Also calls upon* States to develop and implement measures at all levels to end child, early and forced marriage, including national and subnational action plans where appropriate, and to make adequate resources available across relevant sectors, including health, nutrition, protection, governance and education;

4. *Urges* States to enact, enforce and uphold laws and policies aimed at preventing and ending child, early and forced marriage, protecting those at risk and addressing the needs of those affected, and work towards the coherence of these laws and policies at the local level, to ensure that marriage is entered into only with the informed, free and full consent of the intending spouses;

5. *Calls upon* States to enact, enforce and uphold laws concerning a minimum age of marriage, to monitor their application and to progressively amend laws with lower minimum ages of marriage and/or ages of majority to 18 and engage all relevant authorities to ensure that these laws are well known;

6. *Urges* States to repeal or amend laws and remove any provisions that enable perpetrators of rape, sexual abuse or abduction to escape prosecution and punishment by marrying their victims;

7. *Calls upon* States to strengthen their efforts to ensure the timely registration of births and marriages, especially for individuals living in rural and remote areas, including by identifying and removing all physical, administrative, procedural and any other barriers that impede access to registration and by providing, where lacking, mechanisms for the registration of customary and religious marriages;

8. *Also calls upon* States to promote the meaningful participation of and active consultation with children and adolescents, including already married girls, on all issues affecting them, and to raise awareness about their rights, including the negative impact of child, early and forced marriage, through safe spaces, forums and support networks, including in digital spaces, that provide information, life skills and leadership skills training and opportunities, including catch-up and literacy education, and lifelong learning opportunities, remote learning opportunities and childcare as needed, to be empowered, to express themselves, to participate meaningfully in all decisions that affect them and to become agents of change within their communities;

9. *Further calls upon* States to promote awareness-raising about the harmful effects of child, early and forced marriage on the individual and wider society and the benefits of ending this harmful practice, including through open dialogue with all stakeholders, including girls and boys, women and men, religious, traditional and community leaders, parents, legal guardians and other family members, to work with local communities to combat negative social norms and gender stereotypes that condone child, early and forced marriage, to empower parents and communities to abandon the practice and to empower all women and girls to make informed decisions about their lives;

10. *Recognizes* that the child, for the full and harmonious development of his or her personality, should grow up in a family environment and in an atmosphere of happiness, love and understanding and that parents or, as the case may be, legal

guardians have the primary responsibility for the upbringing and development of the child, acknowledging the need to support their capacity to prevent and eliminate child, early and forced marriage, and reaffirming that the best interests of the child will be their basic concern;

11. *Urges* Governments, while addressing child, early and forced marriage, to confront family poverty and social exclusion through investing in family-oriented policies addressing the multidimensional aspects of poverty, focusing on education, health, employment, social security, livelihoods and social cohesion, paying special attention to gender-sensitive social protection measures, child allowances for parents and pension benefits for older persons and protecting, supporting and empowering children, including girls, in child-headed households;

12. *Also urges* Governments, with the collaboration of relevant stakeholders, to tackle poverty, lack of economic opportunities for women and girls, and other entrenched economic incentives that act as drivers of child, early and forced marriage, including by ensuring the rights of women and girls to inheritance and property, their equal access with men and boys to social protection, childcare services and direct financial services, to encourage girls to continue their education, including through their re-enrolment in school after childbirth, to develop livelihood opportunities through access to technical and vocational education and training and life skills education, including financial literacy, and to promote freedom of movement, women's equal access to full and productive employment and decent work, as well as equal political participation and rights to inherit, own and control land and productive measures;

13. *Encourages* States to promote and protect the human rights of already married girls and women affected by this harmful practice, to promote equality in all aspects of marriage and its dissolution and to address their specific needs, such as through targeted programmes that provide social services to protect them from sexual and gender-based violence, increase their decision-making power, make it easier for them to seek formal employment, increase their economic independence and financial literacy, access education, skills development programmes and lifelong learning opportunities, ensure their equal access to health-care services and information, and decrease their social isolation, including by establishing or strengthening childcare services and working with communities to change discriminatory social norms;

14. *Calls upon* States to promote and protect the right of women and girls to equal access to education through enhanced emphasis on free and quality primary and secondary education, including catch-up and literacy education for those who have not received formal education, have left school early or were forced to leave school, including because of marriage, pregnancy, childbirth and/or childcare responsibilities, which empowers young women and girls to make informed decisions about their lives, employment, economic opportunities and health, including through scientifically accurate and age-appropriate comprehensive education that is relevant to cultural contexts, that provides adolescent girls and boys and young women and men, in and out of school, consistent with their evolving capacities, and with appropriate direction and guidance from parents and legal guardians, with the best interests of the child as their basic concern, information on sexual and reproductive health and HIV prevention, gender equality and the empowerment of women, human rights, physical, psychological and pubertal development and power in relationships between women and men, to enable them to build self-esteem and foster informed decision-making, communication and risk reduction skills and to develop respectful relationships, in full partnership with young persons, parents, legal guardians, caregivers, educators and health-care providers, in order to contribute to ending child, early and forced marriage;

15. *Recognizes* that education is one of the most effective ways to prevent and eliminate child, early and forced marriage and to help married women and girls make informed decisions about their lives, and urges States to remove barriers to education, including by investing in quality primary and secondary education for every child in a safe environment, through adequate financing, ensuring that married girls and boys, pregnant girls and women and young parents continue to have access to schooling, improving access to quality formal education and skills development, especially for those living in remote or insecure areas, improving the safety of girls at and on the way to and from school, providing safe and adequate sanitation, including for menstrual hygiene management, adopting and implementing laws and policies to prohibit, prevent and address violence and to hold perpetrators accountable, strengthening and intensifying their efforts to implement effective violence prevention and response activities in schools and communities, engaging men and boys, community leaders and parents, educating children from a young age regarding their human rights and the importance of treating all people with dignity and respect, and designing educational programmes and teaching materials that support respectful relationships, non-violent behaviours, gender equality and empowerment of women and girls;

16. *Encourages* States to adopt, as appropriate, and implement inclusive policies and programmes to promote technical and vocational training and skills development and lifelong learning opportunities, including in science, technology, engineering and mathematics and in information and communications technology, as well as higher educational opportunities for women and girls, including those at risk of or affected by child, early and forced marriage, so as to enable them to gain the knowledge, attitudes and skills that they need to fulfil their full potential;

17. *Urges* Governments to promote, respect and protect the right to the enjoyment of the highest attainable standard of physical and mental health through the development and enforcement of policies and legal frameworks and the strengthening of health systems, including health information systems, that make universally accessible and available quality, gender-responsive, adolescent-friendly health services, sexual and reproductive health-care services, information and commodities, HIV and AIDS prevention, testing, treatment and care, mental health services and nutrition interventions and prevention, treatment of and care for obstetric fistula and other obstetric complications by providing the continuum of services, including family planning, prenatal and postnatal care, skilled birth attendance, emergency obstetric care and post-partum care;

18. *Also urges* Governments to promote and protect the human rights of all women and girls, including the right of women, and those girls who have been subjected to child, early and forced marriage, to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence, and to adopt and accelerate the implementation of laws, policies and programmes that protect and enable the enjoyment of all human rights and fundamental freedoms, including reproductive rights, in accordance with the Programme of Action of the International Conference on Population and Development,[9] the Beijing Platform for Action[10] and the outcome documents of their review conferences;

19. *Urges* States to formulate or review, as needed, appropriate policies, programmes or strategies in order to prevent and eliminate child, early and forced marriage, and address discrimination and violence, including domestic violence, which may occur against women and girls subjected to child, early and forced marriage, as well as strengthen child protection systems and provide targets and timetables for implementation;

20. *Also urges* States to ensure access to justice and accountability mechanisms and remedies for the effective implementation and enforcement of laws aimed at preventing and eliminating child, early and forced marriage, including by informing women, girls and boys about their rights under relevant laws, including in marriage and at its dissolution, improving legal infrastructure, removing all barriers to access to legal counselling, assistance and remedies, training law enforcement officers, the judiciary and professionals working with women and children and ensuring oversight of the handling of cases of child, early and forced marriage;

21. *Calls upon* States to develop and implement, in consultation with and with the participation of women and, as appropriate, girls, and integrate into humanitarian responses, from the early stages of humanitarian emergencies, measures to address the increased vulnerability of women and girls to child, early and forced marriage, and to protect women and girls from sexual and gender-based violence and exploitation during humanitarian emergencies, situations of forced displacement, armed conflict and natural disaster, including by ensuring their access to such services as health and education, as well as strengthening follow-up and interventions to prevent and eliminate child, early and forced marriage in humanitarian settings, as well as to address the needs of those affected;

22. *Encourages* relevant United Nations entities and agencies, regional and subregional organizations, within their respective mandates, civil society and other relevant actors and human rights mechanisms to continue to collaborate among themselves and with Member States in developing and implementing strategies and policies at the national, regional and international levels to prevent and eliminate child, early and forced marriage, as well as to support those who were married as children;

23. *Encourages* relevant United Nations entities and agencies, regional and subregional organizations, the international financial institutions, civil society and other relevant actors and human rights mechanisms to continue to collaborate with Member States and national statistical agencies in order to assist in strengthening and building capacity for data and reporting systems for analysing, monitoring and publicly reporting on progress to end child, early and forced marriage based on evidence;

24. *Affirms the need* for States to improve the collection and use of quantitative, qualitative and comparable data on violence against women and harmful practices, disaggregated by sex, age, disability, civil status, race, ethnicity, migratory status, geographical location, socioeconomic status, education level and other key factors, as appropriate, to enhance research and dissemination of evidence-based and good practices relating to the prevention and elimination of child, early and forced marriage and to strengthen monitoring and impact assessment of existing policies and programmes as a means of ensuring their effectiveness and implementation;

25. *Encourages* the international community to fulfil its commitment in supporting developing countries, particularly African countries, least developed countries, small island developing States and landlocked developing countries, in strengthening the capacity of national statistical offices and data systems to ensure access to high-quality, timely, reliable and disaggregated data while ensuring national ownership in supporting and tracking progress, including in the context of child, early and forced marriage;

26. *Encourages* Governments to include information on progress towards eliminating child, early and forced marriage, including best practices and implementation efforts, in their national reports to relevant international treaty bodies and the universal periodic review and within the national voluntary reviews conducted through the high-level political forum on sustainable development;

27. *Requests* the Secretary-General to submit a comprehensive report to the General Assembly, based on evidence, before the end of its seventy-fourth session, on progress towards ending child, early and forced marriage worldwide, best practices for programmes aimed at ending the practice and supporting already married girls and women affected by this practice, including girls' and women's empowerment programmes, gaps in funding, research and data collection, using information provided by Member States, United Nations bodies, agencies, funds and programmes, civil society and other relevant stakeholders;

28. *Invites* the Commission on the Status of Women to consider child, early and forced marriage, among other issues, at its sixty-fourth session in 2020, to coincide with the twenty-fifth anniversary of the Fourth World Conference on Women;

29. *Decides* to consider the issue of child, early and forced marriage at its seventy-fifth session under the item entitled "Promotion and protection of the rights of children", taking into account the multifaceted and worldwide nature of this issue.